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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

AMG Services, Inc. et al.,

Defendants, and

Park 269 LLC, et al.,

Relief Defendants.

Case No. 2:12-cv-536

**PLAINTIFF'S MOTION
FOR LEAVE TO FILE
SUMMARY JUDGMENT
REPLY MEMORANDUM
AND EXHIBITS UNDER
SEAL**

1 Plaintiff Federal Trade Commission (“FTC”) hereby moves this Court for an Order granting the
2 FTC leave to file its summary judgment reply memorandum, appendix, declaration, and exhibits (Docket
3 No. 514 *et seq.*), under seal. The Court approved the FTC’s similar request to provisionally file materials
4 under seal with respect to the FTC’s initial motion for summary judgment papers. (*See* Docket No. 476.)
5 In support of this motion, the FTC states as follows:

6 1. On January 11, 2013, this Court entered an amended protective order, (Docket No. 308),
7 permitting parties to designate documents and testimony as confidential, and to submit such information to
8 the Court under seal.

9 2. On September 30, 2013, the FTC filed a motion for summary judgment (Docket No. 454).
10 With the Court’s permission, (Docket No. 476), the FTC filed under seal its memorandum, (Docket No.
11 456), and exhibits, (Docket No. 455), in support thereof.

12 3. On December 20, 2013, the FTC filed a reply in support of its motion for summary
13 judgment (the “Reply”), as well as an appendix and declaration with accompanying exhibits (Docket No.
14 514 *et seq.*). Some of those papers contain confidential consumer data designated by the FTC or
15 Defendants as confidential. In addition, the Defendants have designated nearly all of their documents, and
16 testimony regarding those documents, as confidential.

17 4. Due to the breadth of the Defendants’ confidential designations and the FTC’s repeated
18 references in its Reply to documents and testimony designated by Defendants as confidential, the FTC, out
19 of an abundance of caution, seeks leave of the Court to file its entire Reply and all exhibits under seal.

20 5. After summary judgment briefing is concluded, the FTC intends to confer with the
21 Defendants regarding redacting portions of its Reply and unsealing and redacting certain exhibits. The
22 parties successfully reached an analogous, post-briefing agreement in unsealing large portions of the
23 parties’ previous briefing on the FTC’s motion for preliminary injunction. (*See* Docket No. 283.)
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1 WHEREFORE, the FTC respectfully requests leave of the Court to file its reply in support of motion
2 for summary judgment, appendix, declaration, and all corresponding exhibits (Docket No. 514 *et seq.*)
3 under seal, with a reservation of the right to move the Court at a later date to lift the seal order in part.

4 December 20, 2013

5 Respectfully submitted,

6 /s/ Nikhil Singhvi

7 Nikhil Singhvi

8 Jason D. Schall

9 Helen P. Wong

10 Ioana Rusu


11 LaShawn M. Johnson

12 Courtney A. Estep

13 *Attorneys for Plaintiff*

14 *Federal Trade Commission*

15 IT IS SO ORDERED:

16 

17 UNITED STATES MAGISTRATE JUDGE

18 DATED: 12-23-2013

CERTIFICATE OF SERVICE

I, Nikhil Singhvi, certify that, as indicated below, all parties were served by electronic case filing with **PLAINTIFF'S MOTION FOR LEAVE TO FILE SUMMARY JUDGMENT REPLY MEMORANDUM AND EXHIBITS UNDER SEAL** filed with the Court and all parties were served with Plaintiff's reply memorandum of law, appendix, declaration, and exhibits.

Dated: December 20, 2013

/s/Nikhil Singhvi

Nikhil Singhvi

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